

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

EMED TECHNOLOGIES CORPORATION, §  
§  
*Plaintiff,* §  
§  
v. § Case No. 2:15-CV-01167-JRG-RSP  
§  
EMED TECHNOLOGIES CORPORATION, §  
REPRO-MED SYSTEMS, INC. D/B/A RMS §  
MEDICAL PRODUCTS, §  
§  
*Defendants.* §

**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation (Dkt. No. 80) by Magistrate Judge Payne, which recommends that Defendant's motion to dismiss (Dkt. No. 66) be denied and Plaintiff's motion to amend its infringement contentions (Dkt. No. 67) be granted. No party has objected to the Report & Recommendation.

Having reviewed Magistrate Judge Payne's report, Defendant's motion, Plaintiff's response (Dkt. No. 69) and sur-reply (Dkt. No. 73) to Defendant's motion (Dkt. No. 66), Plaintiff's motion, and Defendant's response (Dkt. No. 70) and sur-reply (Dkt. No. 72) to Plaintiff's motion (Dkt. No. 67), the Court concludes that Magistrate Judge Payne's Report & Recommendation is correct. The Report & Recommendation (Dkt. No. 80) is hereby **ADOPTED**. Accordingly, Defendants' motion to dismiss (Dkt. No. 66) is **DENIED** and Plaintiff's motion to amend its infringement contentions (Dkt. No. 67) is **GRANTED**.

**So Ordered this**

Dec 6, 2018

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE